

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
November 17, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. Wednesday, November 17, 1982 in the City Hall Council Chambers.

ROLL CALL

Present: Council Members: Murphy, Olson, Pinkerton,  
Snider, and Reid (Mayor)

Absent: Council Members: None

Also Present: City Manager Glaves, Assistant City Manager  
Glenn, Public Works Director Ronsko, City  
Attorney Stein, and City Clerk Reimche

INVOCATION

The invocation was given by Reverend R. L. Weishoff,  
Emanuel American Lutheran Church

PLEDGE

The Pledge of Allegiance was led by Mayor Reid

PRESENTATIONS

Mayor Reid presented to City Manager Henry Glaves the  
International City Management Association Certificate of  
Service in recognition of his twenty five years of service  
to city management.

REPORTS OF THE  
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the  
City Manager, the following actions hereby set forth between  
asterisks, on motion of Mayor Pro Tempore  
Murphy, Snider second, were approved by Council.

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CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,621,963.94.

AWARD - SUBMERSIBLE  
TRANSFORMERS

City Manager Glaves presented the following bids  
which had been received for four 167 KVA, single-  
phase submersible transformers.

SUBMERSIBLE TRANSFORMER BID EVALUATION

|                              | "A"                          | "B"                             | "A" & "B"                        |
|------------------------------|------------------------------|---------------------------------|----------------------------------|
| <u>Supplier</u>              | <u>Price</u><br><u>w/tax</u> | <u>Cost of</u><br><u>Losses</u> | <u>Life-Cycle</u><br><u>Cost</u> |
| RTE Corp.                    | \$ 9,103.28                  | \$ 9,209.60                     | \$18,312.88                      |
| Westinghouse<br>Electric Co. | 16,887.92                    | 8,195.20                        | 25,083.12                        |
| G.E. Supply                  | 12,652.16                    | 12,472.20                       | 25,124.36                        |

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Following recommendation of the City Manager, Council adopted the following resolution:

RES. NO. 82-125

RESOLUTION NO. 82-125

RESOLUTION AWARDING THE BID FOR FOUR 167 KVA SINGLE-PHASE SUBMERSIBLE TRANSFORMERS TO RTE CORPORATION IN THE AMOUNT OF \$9,103.28

City Manager Graves Presented the following bids which had been received for Lane Line Painting and Removal of Miscellaneous Markings:

| <u>Name of Bidder</u> | <u>Painting</u> | <u>Removal</u> | <u>Total Bid</u> |
|-----------------------|-----------------|----------------|------------------|
| Traffic Ltd.          | \$13,089.84     | \$2,849.30     | \$15,939.14      |
| Safety Striping       | 14,269.22       | 1,865.00       | 16,134.22        |
| Riley's Striping      | 19,505.50       | 1,325.00       | 20,830.50        |

Following recommendation of the City Manager, Council adopted the following resolution:

AWARD-LANE LINE  
PAINTING AND  
REMOVAL OF MISC.  
MARKINGS

RESOLUTION NO. 82-126

RES. NO. 82-126

RESOLUTION AWARDING THE CONTRACT FOR LANE LINE PAINTING AND REMOVAL OF MISCELLANEOUS MARKINGS TO TRAFFIC LIMITED, LODI, IN THE AMOUNT OF \$15,939.14.

Council was apprised that CAL TRANS has notified the City that it is in order to proceed with the appraisals and right-of-way acquisitions for the Stockton Street Widening Project. The contract with Craig Hubbard is in the amount of \$8,400 and covers the appraisals for 26 parcels.

CONTRACT WITH  
CRAIG HUBBARD  
FOR S. STOCKTON  
STREET APPRAISALS  
APPROVED

COUNCIL APPROVED THE CONTRACT WITH CRAIG HUBBARD, INC. FOR THE REAL ESTATE APPRAISALS ON STOCKTON STREET AND AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY.

Council was apprised that the City of Lodi entered into an agreement with CAL TRANS in 1979 to acquire the necessary rights of way for the improvement of South Stockton Street. That agreement was to expire December 31, 1982. With delays in Stockton Street preliminary design, EIR, etc. that date will be here before the city can acquire those rights of way. The City Attorney has reviewed the Amendment and approves of the document extending the original agreement for two years until December 1984.

Council adopted the following resolution:

APPROVE AMENDMENT  
TO R/W SERVICES  
AGREEMENT WITH  
CAL TRANS

RESOLUTION NO. 82-127

RES. NO. 82-127

RESOLUTION APPROVING AN AMENDMENT TO THE RIGHT-OF-WAY SERVICES AGREEMENT WITH CAL TRANS FOR THE STOCKTON STREET PROJECT AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE SAME FOR THE CITY AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO ACCEPT AND EXECUTE THE RIGHT-OF-WAY AGREEMENTS AS THE PROPERTIES ARE ACQUIRED.

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3100  
 SPECS APPROVED FOR  
 TURF MOWER

COUNCIL APPROVED THE SPECIFICATIONS FOR ONE TURF MOWER AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

Council was apprised that Lance Ellis, owner of Ellis Car Wash Co. at 820 South Cherokee Lane has requested a "No Parking Zone" to provide sight distance for his customers as they exit the car wash. The situation is similar to that at other locations where property owners have requested the removal of on-street parking near driveways to prevent accidents by improving sight distance and it was Staff's recommendation that the request be granted.

Council adopted the following resolution:

RES. ESTABLISHING  
 A "NO-PARKING ZONE"  
 IN THE AREA OF  
 820 SOUTH CHEROKEE  
 LANE

RESOLUTION NO. 82-128

RESOLUTION ESTABLISHING A "NO PARKING ZONE" IN THE AREA OF 820 SOUTH CHEROKEE LANE, LODI.

RES. NO. 82-128

CC-48(9), CC 300

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2200  
 PUBLIC HEARINGS

Notice thereof having been published and affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the continued Public Hearing to consider unmet transit needs within the City of Lodi. An earlier Public Hearing had been held at 3:00 p.m. at the Hale Park Recreation Center on the matter.

UNMET TRANSIT  
 NEEDS WITHIN THE  
 CITY OF LODI

The matter was introduced by Assistant City Manager Glenn, who reported on the November 12, 1982 Transportation Productivity Improvement Committee. The Committee consisted of Assistant City Manager Glenn, Dallas Stafford of the City Cab Company, and Shirley Klein of Loel Center.

Mr. Bob Slauson, 2200 West Walnut Street, Lodi gave the following presentation regarding the subject and responded to questions as were posed by the Council.

"I thank you for the opportunity to present my concerns regarding the local dial-a-ride system, local transportation needs in general, and the appropriate expenditure of Transportation Development Act Funds. Because of blindness, I am a certified dial-a-ride user. I am indeed a dial-a-ride user and I have had experience with such systems in three small cities: Eureka, Humboldt County; Ukiah, Mendocino County; and Lodi. The 2-1/2 years prior to my moving to Lodi this August, I was active on the Citizens' Advisory Committee for Elderly and Handicapped Transportation in Eureka and Northern Humboldt County. I was also the executive director of a small human service agency--an independent living program for the physically disabled--one function of which was to provide accessible transportation for the disabled citizens of Northern Humboldt County.

Particularly, because our current approach to land use planning spreads shopping centers, residential areas, educational facilities and industry all over the map, and such planning is based on the assumption that every citizen is independently mobile, the term "transportation handicapped" has real meaning for those of us who cannot drive. Because of this truly handicapping effect of restricted mobility, we must rely upon transportation provided by others: public fixed route systems, paratransit systems, and when we can afford it, by cab.

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Turning to my particular concerns, the first of these is Lodi's dial-a-ride system. Let me say that those that provide the service, the drivers, are courteous, helpful, concerned people. The four drivers who work for this system are great. However, compared with the other two systems with which I have had experience, the Lodi system falls short in most other respects. In my opinion, the most serious short-coming is the unpredictability and the generally long delay between the initial call for service and the completion of the ride. I was originally told that this system would complete the transportation in thirty to forty minutes. For me, in my seventy some odd trips since early September, the shortest time has been fifteen minutes which is excellent; the average is around thirty-five to forty-five minutes, the longest times are over an hour.

The Ukiah system also has a fixed route scheduled service with which I am more familiar. The few times I have used their dial-a-ride, however, the average wait has been about twenty minutes. I have used the Eureka system hundreds of times. The average time is twenty minutes. More serious to me than the delay, here, is the unpredictability of the service, and the inability to reserve specific times in advance. I have frequently missed appointments: in many instances, had I been informed of the approximate duration of the delay, I could have easily walked to my destination. Walking time is often substantially shorter than relying on this service. I certainly could not rely on this system to facilitate employment. My primary experience has been with the Eureka system, in that case, delay time was sufficiently predictable so that I could depend on the system to make appointments and to get to work on time. In addition, it was possible to make advance reservations to guarantee transportation within a ten minute time frame. In that situation, one could anticipate a total of one half hour time spent to and from an appointment. Here, I must set aside a total of two hours waiting and transporting for an appointment. Too often, even this is not sufficient. If I were to depend on this system, the Greyhound and SMD to make an appointment in Stockton, I would have to set aside more than five hours for transportation.

Possible solutions which occur to me for this particular dial-a-ride problem include: increasing the number of drivers; arranging for guaranteed advance reservations; utilizing other cabs in the system, when necessary and arranging the dispatch system so that a time frame is specified for each trip.

A second major problem is the inability of this system to connect with other dial-a-ride services and public fixed route systems. Ukiah's dial-a-ride system worked quite well in conjunction with the Mendocino Transit Authority. The MTA goes to almost every populated portion of Mendocino County. The same is true of the Eureka system. What is more, the Eureka system will transport to the adjacent northern dial-a-ride jurisdiction; the one dial-a-ride will take a passenger to the destination while the other system will return him to his point of origin. For me, specifically, I have need to go to Woodbridge and to North Stockton; the Woodbridge trip costs me ten dollars round trip and the Stockton trip would cost me thirty-six dollars round trip by cab or five hours of transportation time using a combination of other systems. I believe the geographic area for dial-a-ride should be expanded, using a zone system, if necessary. This should include the setting of a reasonable flat rate for connection with Stockton.

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Another general problem with dial-a-ride which I have encountered is the lack of cooperation among systems regarding certification. What I pay for the primary support of most dial-a-ride systems is a State tax which I believe should entitle me to the use of this service wherever I am in the State. The existing systems seem to usually require local certification. I believe that such services as dial-a-ride should be available to any certified user throughout the state and that state wide information should be made available to all users. Many of the problems which I have expressed regarding local transportation could be solved with fixed route, frequently scheduled public transportation.

Before concluding, I would like to share, briefly, my thoughts on this process and the appropriate use of TDA money. As I understand it, TDA money represents one out of every twenty-four cents collected as the general State sales tax. It is not a special tax placed on gasoline or licenses and should therefore not necessarily be spent in the same way as those user fees. Transportation Development Act funding was created to develop a variety of alternative transportation systems in response to unmet public need. The potential needs have been categorized, and while maintenance and improvement of streets and roads are among the categories, streets and roads are at the bottom of the list following public transit, specialized transportation for the elderly and handicapped and bike paths and trails. In Lodi more than 90% of TDA money goes to streets and roads and less than 10% goes to public and specialized transportation. While I am new to the area and may not fully understand local problems, I believe this proportion is unreasonable.

I ask that you consider my needs and concerns and I respectfully suggest that you actively solicit public input regarding these needs."

Council discussion followed. Questions were directed to Mrs. Rae Margrave, City Cab Company - Dial-A-Ride, who was in the audience.

There being no other persons in the audience wishing to speak on the matter, Mayor Reid closed the Public Hearing.

No formal action was taken by the Council on the matter.

AMENDMENTS TO  
SPECIFIC PLAN OF  
LOWER SACRAMENTO  
ROAD BETWEEN  
KETTLEMAN LANE AND  
LODI AVENUE

ORD. NO. 1278  
INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the Lodi City Planning Commission's recommendation that the following amendments be made to the Specific Plan of Lower Sacramento Road between Kettelman Lane and Lodi Avenue, Lodi.

The matter was introduced by Public Works Director Ronsko who presented diagrams depicting the proposed amendments, detailing the proposed amendments, and responding to questions as were posed to Council.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

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On motion of Council Member Snider, Murphy second, Council introduced Ordinance No. 1278 adopting numerous amendments to the Specific Plan of Lower Sacramento Road between Kettleman Lane and Lodi Avenue as heretofore set forth. The motion was carried by unanimous vote.

- a) That Tokay Street be shown on the west side of Lower Sacramento Road with a right-of-way width of 55 feet;
- b) That a statement be added to the plan that indicates the approved center median openings at this time are Kettleman Lane, Vine Street and Lodi Avenue;
- c) That the sidewalk dimension of 10 feet be revised to 5 feet in residential areas and 7 feet in commercial, institutional and reverse frontage single-family residential;
- d) That the following statement be added to note No. 3 on the Specific Plan: "Fencing at right-of-way will be adjacent to only reverse frontage single-family residential development;"
- e) That "Denied Access" in the legend be changed to read "Denied Vehicular Access"; and
- f) that the following comment be added to the specific plan: "Fencing and corner cutoffs at intersections shall be approved by the Public Works Department."

ORDINANCE LEGAL-  
IZING BINGO IN THE  
CITY OF LODI AS  
AUTHORIZED BY STATE  
LAW INTRODUCED

Notice thereof having been published in accordance with law and affidavit of publication being on file in the Office of the City Clerk, Mayor Reid called for the Public Hearing to consider a Proposed Ordinance legalizing Bingo in the City of Lodi as authorized by State Law.

The matter was introduced by City Attorney Stein who reviewed the proposed Ordinance and responded to questions as were posed by the Council.

Speaking in support of the proposed Ordinance was Dr. Thomas Carlton, 732 Costa Drive, Lodi.

There being no other persons in the audience wishing to speak on the subject, the public portion of the hearing was closed by Mayor Reid.

ORDINANCE NO. 1279 Council Member Pinkerton then moved to introduce Ordinance No. 1279 - An Ordinance of the City of Lodi authorizing qualified organizations to conduct Bingo Games within the City of Lodi. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

#### PLANNING COMMISSION

City Manager Graves gave the following report of the November 8, 1982 Planning Commission Meeting:

The Planning Commission:

#### ITEMS OF INTEREST

1. Conditionally approved the request of Lucky Stores, Inc. and Euclid Shopping Center for a Use Permit to demolish and replace the former Albertson's Market with a new Lucky's Food Store at 340 West Kettleman Lane in an area zoned C-S, Commercial Shopping.

In a related item, certified the filing of a Negative Declaration by the Community Development Director on the above project.

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2. Determined that a Zoning Hardship existed and approved request of Mike Stiehr for a Zoning Variance to reduce the required minimum lot width from 50 feet to 45 feet at 316 and 316½ East Elm Street to permit existing lots to be used for multiple-family purposes in an area zoned R-HD, High Density Multiple Family Residential.

IONS

ATIONS

City Clerk Reimche apprised the council that a letter had been received from P.G. & E. giving notice that in Amended Application 82-01-59 it has requested authorization under its Solar Financing Adjustment (SFA) to revise its electric and gas tariffs, effective January 1, 1983, to support its Demonstration Solar Financing Program, which the Commission ordered P.G. & E. to conduct under OII-42 in Decision No. 92251.

City Clerk Reimche presented a Notice that had been received advising of the Pacific Telephone and Telegraph Company's application to increase revenue to offset increases in depreciation expenses.

SIGNA-  
> FROM  
S AND

City Clerk Reimche presented letters of resignation from Economic Development Commissioner Russell Larkin and Arts Commissioner R. P. Corey. City Clerk Reimche was directed to make the necessary postings for applicants.

The City Clerk presented the following application for Alcoholic Beverage License:

Rose Four Aces  
Aguilar, Eliss G/Rosemarie  
9 North Sacramento Street  
Lodi, CA 95240  
On Sale Beer and Wine Eating Place and Public Premises

2  
SIBLE  
REST  
F

- D City Clerk Reimche read the following letter from City Attorney Stein regarding a conflict of interest for Councilmen whose immediate family members are employed by the Lodi Unified School District to vote on a decision regarding a public hearing on a Lodi Unified School District Declaration of Impaction.

"On Thursday, November 4, 1982, I contacted the Fair Political Practices Commission and asked specifically whether there would be a conflict of interest for Councilmen whose immediate family members are employed by the Lodi Unified School District to vote on a decision regarding a public hearing on a Lodi Unified School District Declaration of Impaction.

The FPPC stated there was no conflict of interest. The reasoning used and the first Section that one must look to is under Government Code Section 82030 under definitions of "income" and thereunder Section 82030 (b) (2) to wit:

"Income" also does not include:

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"... (2) Salary and reimbursement for expenses or per diem received from a state or local government agency and reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization;"

The part that Section 82030 is under deals with the requirement of filing a conflict of interest statement. What the FPPC said is that since Section 82030 (b) (2) does not include monies received from a School District, therefore there would be no conflict of interest where a decision of a Council would affect said income.

You get to the decision regarding the voting on the School District impaction by looking further to Government Code Section 87103 (c) which contains the general prohibition against a public official voting on a project or making a decision which will affect a financial interest. Government Code Section 87103 states that an official has a financial interest in a decision if it will have an effect on any source of income, to wit:

"An official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally..."

Since salaries received from a School District are not considered reportable income hereunder, it is the position of FPPC that voting on a decision which will affect that income would not, therefore, be a conflict of interest.

Subsequent to speaking with the FPPC, I spoke with Dick Eichenberger of the District Attorney's office. It was his opinion that since the FPPC did not consider that a conflict of interest exists, that he would not consider prosecuting any suggested violation. He further stated that he agreed with the FPPC's opinion."

RONALD M. STEIN  
City Attorney

City Clerk Reimche then read the following letter that had been received from John J. Vatsula, President of the Governing Board of the Lodi Unified School District:

Mayor Fred M. Reid  
Lodi City Hall  
221 West Pine Street  
Lodi, CA 95240

"Dear Mayor Reid and Members of the Lodi City Council:

On behalf of the Lodi Unified School District, I respectfully request that the Lodi City Council reconsider its action of Wednesday, November 3, in which the collection of Development Fees for new housing units in the school district was suspended.

This district has approximately 5,000 students who are housed in interim facilities or on double session this school year. Development Fees have been an important source of revenue that enables the district to provide interim housing this year at those schools (Lawrence, Heritage, Nichols, Senior Elementary, Woodbrige, Lodi and Tokay High Schools) serving students from developing subdivisions in Lodi. Proposition 1 is important to Lodi Unified, but it will not result in a relief to our overcrowded schools for a time to come.



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In light of the Fair Political Practices Commission's ruling indicating that there is no conflict of interest of council members in this matter and in recognition of the district's documented need for interim housing this school year, we request reconsideration of this matter by the full council at the earliest possible date.

Thank you for your consideration of this important request.

Sincerely,

John J. Vatsula  
President of the Governing Board"

Council Member Olson then moved that in light of the FPPC's ruling indicating that there is no conflict of interest that the Council's action of November 3, 1982 be rescinded regarding the suspending of the collection of Development Fees for new housing units and that a Public Hearing for reconsideration of the Declaration of Impaction dated September 7, 1982 by the Lodi Unified School District Board of Trustees be set. The motion was seconded by Council Member Snider. A lengthy discussion followed with an amendment to the motion being proposed by Council Member Pinkerton. Council Member Pinkerton challenged the legality of the motion indicating that he felt that before Council rescinded its earlier action, he felt the matter had to be discussed in Public Hearing.

Council Member Olson's motion as heretofore set forth carried with the Public Hearing for the reconsideration of the Declaration of Impaction being set for January 5, 1983 at 8:00 p.m. by the following vote:

LODI UNIFIED  
SCHOOL DISTRICT  
DECLARATION OF  
IMPACTION

Ayes: Council Member - Olson, Snider and Reid  
Noes: Council Member - Murphy and Pinkerton  
Absent: Council Member - None

Council Member Pinkerton again challenged the legality of this vote.

GRAND JURY REPORT  
RE INVESTIGATION OF  
LPD

City Clerk Reimche read the following report received from Reed Robbins, Foreman, Grand Jury, County of San Joaquin.

"Interim Report #1 November 10, 1982  
Investigation of Lodi Police Department at Request of  
City of Lodi

The Grand Jury received from the Mayor of Lodi, California, Mr. Fred Reid, a letter outlining a number of complaints and allegations against the Lodi Police Department. These include:

1. Falsifying police reports;
2. Illegal stops and seizures;
3. Brutality;
4. Vulgar and abusive language;
5. Harassment;
6. Employees stopped;
7. Spotters on the roof with radios;
8. Officers staking out cars and bars.

Generally, replies to complaints and allegations such as these are not released to the public. The Grand Jury receives many complaints of this nature regarding other agencies of this County and after investigation issues a

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private letter or makes no report. However, because of the notoriety given this matter by the newspapers, City Council and Mr. Mitchell we felt it only right that our findings be made public.

In our investigation we interviewed Mr. Mitchell, Lodi Police Department Personnel, County Counsel, Deputy District Attorney, the City Manager, and many concerned citizens of the Lodi area.

#### Findings

The complaints and allegations can be boiled down to three areas:

1. The lack of probable cause for arrests;
2. Harassment by staking out bars at night;
3. A "point system" used by the Lodi Police Department in the Performance Evaluation Reports system to evaluate personnel.

The Grand Jury feels it would be presumptuous of the Grand Jury to even discuss "probable cause" as this issue can only be determined by the Court at the time of the hearing.

In regards to harassment by staking out the bars at night, the Grand Jury found there had been no legal improprieties in this complaint.

A detailed review was made of the "point system" as used in the Police Performance Evaluation Reports and again it was found there were no legal improprieties. The points for motor vehicle violations are only one of a number of items used in evaluating the personnel of the police department. It appears, however, that the point system has been a strong incentive in vehicle stops. Therefore, it is suggested that the City Council reevaluate the use of points as pertains to motor vehicle violations.

Respectfully,

Reed Robbins, Foreman"

Councilman Pinkerton indicated his displeasure in that the City Manager was given a copy of the subject report before Council Members received their copies. It was indicated that copies went to the Council and the City Manager at the approximate same time, when the packets were prepared and distributed.

Mayor Pro Tempore Murphy asked about the reports release to the public and press prior to it being received by the City of Lodi.

COUNCIL DENIED  
AMENDED CLAIM  
FOR MONEY OF NON-  
PAYMENT OF BILLS  
PRESENTED BY PG&E

On motion of Mayor Pro Tempore Murphy, Reid second, Council denied the Amended Claim for money for nonpayment of bills presented by Pacific Gas and Electric Company.

PEPETION RE  
PERMITTING ANY  
OPERATE AT LOCKE-  
STREET  
LOCATION WITHOUT  
ANY STREET OR  
ADJOINING OFF-  
STREET PARKING  
REFERRED TO CITY

Council, following discussion and complaints received regarding the matter from Mr. Thomas Carlton, 732 Costa Drive, Lodi, referred to the City Attorney, petition FORD received from business operators located adjacent to that parcel of land located at the northwest corner (intersection) of Lockeford Street and Pleasant Avenue, expressing concern as to the advisability of permitting any business to operate at said location without any street or adjoining off-street parking.

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REPORT RE CLOSED  
SESSION OF THE  
COUNCIL HELD  
NOVEMBER 3, 1982

City Clerk Reimche reported that at a Closed Session of the City Council held November 3, 1982, Council authorized the proceeding with negotiations on the rights-of-way acquisitions on the Snell and Jerone parcels.

COMMENTS BY CITY  
COUNCIL MEMBERS

Council Member applauded the recent Band Review held in this City.

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

There were no persons in the audience wishing to speak under this segment of the agenda.

#### REGULAR CALENDAR

REPORTS OF THE CITY  
MANAGER  
AGREEMENT WITH  
COUNTY FOR DIAL-A-  
RIDE IN WOODBRIDGE  
APPROVED

Following introduction of the matter by Assistant City Manager Glenn, Council, on motion of Council Member Snider, Olson Second, adopted Resolution No. 82-129 approving the Agreement between the City of Lodi and the County of San Joaquin for Dial-A-Ride Transportation in the Woodbridge area and authorized the Mayor and City Clerk to execute the document on behalf of the City.

RES. NO. 82-129

Agenda item k-1 "Request for mid-block crosswalk between the Fairmont Rehabilitation Hospital and Lodi Memorial Hospital" was introduced by Public Works Director Ronsko. Mr. Ronsko reported that for various reasons, the City of Lodi has strongly discouraged such installations in the past. Among these reasons are:

REQUEST FOR MID-  
BLOCK CROSSWALK  
BETWEEN THE FAIR-  
MONT REHABILITATION  
HOSPITAL AND  
LODI MEMORIAL  
HOSPITAL

1. They may cause pedestrians to have a false sense of security with respect to vehicular traffic.
2. They may cause a greater number of rear end collisions due to pedestrians not waiting for gaps in traffic.
3. They may cause an increase in fatal and serious injury accidents, because crosswalks are usually considered to be safety devices. However, accident studies show a disproportionate accident rate in terms of marked versus unmarked crosswalks, probably due to a less cautious pedestrian attitude at unmarked walks.
4. Additionally, motorists expect crosswalks and pedestrians at interesections and when there are intersections fairly close together, motorists would not expect to have a crosswalk in the middle of the block.

A number of cities were contacted in past studies, and it was found that most not only discourage mid-block crosswalks, they don't consider them in blocks less than 600-1000 ft. long. Further, the amount of use of this crosswalk would be minimal in the sense that very few people would use it compared to a mid-block crosswalk in the downtown area.

Ms. Beverly McFarland, Administrator, Fairmont Rehabilitation Hospital was in the audience and spoke on behalf of her request.

Following discussion, with questions being directed to Staff and to Ms. McFarland, Council, on motion of Mayor Pro Tempore Murphy, Reid second, denied Ms. McFarland's request for a mid-block crosswalk between that facility and Lodi Memorial Hospital. Further, Staff was directed to check into expediting the construction of wheelchair ramps at the Fairmont Avenue-Windsor Avenue Crossing.

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## RECESS

Mayor Reid declared a five-minute recess and the Council reconvened at approximately 10:35 p.m.

CITY STREET TREE  
POLICY UPHELD

Following introduction of the matter by Staff, Council, on motion of Council Member Snider, Murphy second, voted not to deviate from the City's Street Tree Policy, thereby denying the request of Ms. Viola Fahrner, 424 S. School Street, Lodi, for the removal of certain trees located in the parkway fronting her property.

AUDIT AND  
MANAGEMENT LETTER  
FOR YEAR ENDED  
JUNE 30, 1982  
ACCEPTED FOR FILING

Following introduction of the matter and discussion, Council, on motion of Councilman Pinkerton, Murphy second, accepted for filing the Audited Financial Statements of the City of Lodi for the year ended June 30, 1982 and Management Letter from the auditing firm of Ernst and Whinney.

ITEM REMOVED  
FROM THE AGENDA

With the tacit concurrence of the Council, agenda item k-4 "Request for Crossing Guard at Ham Lane and Highway 12" was removed from the Agenda.

COMPACT CAR  
AUTHORIZED FOR  
RECREATION DEPT.

Council, on motion of Mayor Pro Tempore Murphy, Olson second, authorized purchase of a compact car for the Recreation Department based on the condition that the specs be written for a domestic vehicle.

Council was apprised that earlier this year, the City applied for, and was granted, an EDA grant for construction of the above line. Since that time, the Engineering Division has prepared plans and specifications, which are being reviewed by the EDA Regional Office in Seattle.

The project consists of a storm drain in Cluff Avenue from Industrial Way to Victor Road, varying in size from 48" to 60", and a storm drain pump station near Pine Street. Under this grant eligible work, the center 26 feet of the street is also being reconstructed to industrial standards. Additionally, the City is also asking for bids for the installation of a sanitary sewer in Cluff Avenue from Lodi Avenue to Pine Street.

Since many of the adjacent property owners are either required to, or have shown an interest in the installation of their curb, gutter, sidewalk and paving, we are also asking for proposals on each of the property owner's frontage requirements.

The contract will be awarded on the basis of the EDA eligible work, and the other items will each be evaluated by the City and the individual property owners prior to award. All work will be done by one contractor.

The engineer's estimate of the grant eligible work is \$859,680. The sanitary sewer is expected to cost \$22,930, and the property owner's work if it is all awarded, is expected to cost \$165,090. The total, if all items are awarded, would be \$1,047,700. Award will be in January, with construction starting in February and expected to last approximately six months. All the necessary rights of way have been acquired and once approval is granted by the EDA, it will be in order to start advertising.

Councilman Pinkerton asked to abstain from discussion and voting on this matter because of possible Conflict of Interest.

On motion of Mayor Pro Tempore Murphy, Olson second, Council approved plans and specifications for Cluff Avenue Storm Drain, Industrial Way to Victor Road, and authorized the advertising for bids thereon subject to receiving approval from the Economic Development Agency.

Continued November 17, 1982

PLANS AND SPECIFICATIONS FOR CLUFF AVENUE STORM DRAIN, INDUSTRIAL WAY TO VICTOR ROAD APPROVED

The motion carried by the following vote:

Ayes: Council Member - Murphy, Olson, Snider, and Reid (Mayor)

Noes: Council Member - None

Abstain: Council Member - Pinkerton

Absent: Council Member - None

SPEED ZONES ESTABLISHED THROUGHOUT CITY

Following introduction of the matter by Staff, and an earlier indepth study of the subject at an Informal Informational Meeting, Council, on motion of Councilman Snider, Murphy second, adopted Resolution No. 82-130 establishing various speed zones throughout the city as heretofore set forth

RESOLUTION NO. 82-130

Resolution No. 82-130

Resolution of the City Council of the City of Lodi establishing various speed zones within the City of Lodi.

RESOLVED, that the City Council of the City of Lodi does hereby establish the following speed zones within the City of Lodi.

|   |        |
|---|--------|
| BECKMAN ROAD, Kettleman Ln. to Pine St.               | 45 mph |
| BECKMAN ROAD, Pine St. to Victor Rd.                  | 30 mph |
| BECKMAN ROAD, Lockeford St. to Turner Rd.             | 40 mph |
| CALIFORNIA STREET, Lockeford St. to Turner Rd.        | 30 mph |
| CENTURY BLVD., Ham Ln. to Hutchin St.                 | 35 mph |
| ELM STREET, Lower Sacramento Rd. to Ham Lane          | 35 mph |
| ELM STREET, Stockton St. to Cherokee Ln.              | 35 mph |
| HAM LANE, Harney Ln. to Century Blvd.                 | 35 mph |
| HAM LANE, Lodi Ave. to Elm St.                        | 35 mph |
| HUTCHINS STREET, Harney Ln. to Century Blvd.          | 50 mph |
| HUTCHINS STREET, Tokay St. to Lockeford St.           | 30 mph |
| LODI AVENUE, Ham Ln. to East City Limits              | 30 mph |
| LOWER SACRAMENTO RD., Turner Rd. to North City Limits | 35 mph |
| MILLS AVENUE, Lodi Ave. to Turner Rd.                 | 35 mph |
| STOCKTON STREET, So. City limits to Kettleman Ln.     | 35 mph |
| STOCKTON STREET, Lodi Ave. to Lockeford St.           | 30 mph |
| STOCKTON STREET, Lockeford St. to Turner Rd.          | 35 mph |
| TURNER ROAD, Lower Sacramento Rd. to SPRR             | 35 mph |
| TURNER ROAD, SPRR to Highway 99                       | 45 mph |
| TURNER ROAD, Highway 99 to East City Limits           | 35 mph |
| VINE STREET, Lower Sacramento Road to Ham Ln.         | 35 mph |

BE IT FURTHER RESOLVED, that all resolutions or parts of Resolutions in conflict herewith are hereby rescinded.

Dated: November 17, 1982

Continued November 17, 1982

I hereby certify that Resolution No. 82-130 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 17, 1982 by the following vote:

Ayes: Council Members - Pinkerton, Olson, Snider, Murphy, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ALICE M. REIMCHE  
City Clerk

RES. NO. 82-131

Following introduction of the matter by Staff, Council, on motion of Council Member Snider, Olson second, adopted Resolution No. 82-131 - Resolution Amending "Rules for Personnel Administration, City of Lodi", Rule 9, Section 6, re Holidays Observed by the City of Lodi employees, and thereby rescinding Resolution No. 78-132 pertaining thereto.

ACTIONS TAKEN  
AMENDING LIST OF  
CITY RECOGNIZED  
HOLIDAYS

Further, on motion of Councilman Pinkerton, Olson second, Council introduced Ordinance No. 1280 establishing the Friday after Thanksgiving as a parking holiday in downtown Lodi. The motion carried by unanimous vote. Further, Council tacitly concurred that enforcement will be excused for that day this year.

ORD. 1280  
INTRODUCED

DELAY TO ANIMAL  
SHELTER IMPROVE-  
MENT PROPOSED

Councilman Murphy proposed delaying the improvement proposed for the animal shelter in order to proceed with the refurbishing of city restroom facilities. Discussion followed with no action being taken.

— ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 11:20 p.m.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk